THE HON'BLE SRI JUSTICE C.V. RAMULU

Tuesday, 14th November, 2006

W.P.No.23371 of 1995

Between:

O. Anjaneyulu … Petitioner

and

The District Workmen and Child Welfare Officer, Ravindranagar, Cuddapah, Cuddapah District and others … Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.23371 of 1995

ORAL ORDER:

This Writ Petition is filed seeking a Mandamus declaring the action of the respondents in not releasing salary of the petitioner from June,1995 till the date of filing of the Writ Petition, though he is physically attending the work as Attender, as arbitrary and illegal and consequently to direct the 3rd respondent to pass the bills without raising any objections as was done in the previous period.

It is the case of the petitioner that he was appointed as an Attender in the Office of the 2nd respondent by Proceedings No.29/94, dated 15-6-1994 in the time scale of Rs.1375-25-1475-30-1625-40-1825-50-2025-60-2375. He joined as an Attender with effect from 15-6-1994 itself. Since then, he has been discharging his duties to the complete satisfaction of one and all. While so, the 2nd respondent submitted pay bills to the Sub-Treasury Officer, Rayachoti claiming time scales and the same has been passed and the salaries from 15-6-1994 to 31-5-1995 were drawn and paid. However, when the office of the 2nd respondent, as usual, submitted pay bills for June,1995 to the Sub-Treasury Officer, Rayachoti, the bill has not been passed on the ground that the 3rd respondent instructed him not to pass any salary bills. The Sub-Treasury Officer issued a check slip on 3-7-1995 directing the 2nd respondent to obtain an Order from the 3rd respondent for admitting the bills. This action of the 3rd respondent is arbitrary and

illegal. Hence, this Writ Petition.

While admitting the Writ Petition, on 1-11-1995 this Court passed an interim order directing the respondents to continue the petitioner in service and pay his salary in accordance with the Orders of appointment issued to him, pending further orders.

No counter affidavit is filed. Now it is more than 11 years since the Writ Petition has been filed and interim orders have been passed. In the facts and circumstances of the case, treating the interim order passed on 1-11-1995 in W.P.M.P.No.28711 of 1995 as a final order in the Writ Petition, the Writ Petition is closed. No costs.

14-11-2006

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